

REMARKS

Claims 1-2 and 5-8 are pending in the present application. By this Amendment, independent claims 1, 6 and 8 have been amended. It is submitted that this Amendment is fully responsive to the Office Action dated August 11, 2011.

Examiner's Interview

Applicants gratefully appreciate the courtesy extended by Examiner Waits to Applicants' representative during the personal interview conducted on December 6, 2011.

In accordance with the discussion during the interview and the indication in the Interview Summary, independent claims 1, 6 and 8 have been amended. Thus, this case is believed to be in condition for allowance also as discussed below.

Claim Rejections - 35 U.S.C. §112

Claims 1, 2 and 5 are rejected under 35 U.S.C. §112, second paragraph, as including indefiniteness.

Applicants submit that independent claims 1, 6 and 8 have been amended in accordance with the Examiner's proposals. Accordingly, withdrawal of this rejection is respectfully requested.

Claim Rejections - 35 U.S.C. §103

Claims 1, 2, 6 and 8 are rejected under 35 U.S.C. §103 as being unpatentable over Jacob (USP 4,974,969) in view of Teramachi (JP 61-223325).

Claims 1, 2 and 6-8 are rejected under 35 U.S.C. §103 as being unpatentable over Nagai (US 2002/0144561) in view of Teramashi and Jacob.

These rejections are respectfully traversed. Claim 1, as amended, now recites “*a hollow track member having a slit extending in an axial direction thereof and having a first length extending in the axial direction; a movable member disposed inside the track member to be movable along the track member and having a second length extending in the axial direction, wherein the second length is shorter than the first length.” This Amendment is supported by, for example, Figs. 1 and 5 of the present application. Claim 1, as amended, further recites “wherein an inner periphery of the track member has a substantially circular-arc shape.” This Amendment is supported by, for example, Fig. 4 of the present application. Other independent claims 6 and 8 have been amended to include similar feature.*

The Examiner relies on the primary reference of Jacob and alleges that Jacob’s elements 1 and 2 correspond to the claimed hollow track member and movable member, respectively. Regarding Applicants’ argument that the claimed movable member is disposed inside the track member, and thus, the structure disclosed by Figs. 1 and 2 of Jacob is opposite to the claimed structure of the hollow track member and the movable member, the Examiner alleges that **the rail (element 2) is a movable member since it is movable relative to the ball circulation unit** (element 1) (see pages 8-9 of the Action dated March 10, 2011).

After this amendment, the claimed movable member disposed inside the track member has the second length which is shorter than the first length of the hollow track member.

On the contrary, in Jacob and Teramachi, the rail disposed inside the ball circulation unit is longer than the ball circulation unit. Therefore, the rail 2 of Jacob does not correspond to the claimed movable member which has a length shorter than the hollow track member. Moreover,

the rail, in its nature, must be longer than the movable unit which moves along the rail. Thus, a person having ordinary skill in the art would not modify the rail 2 of Jacob to be shorter than the movable member.

Moreover, after this amendment, independent claims 1, 6 and 8 respectively comprise the combination of the features:

an entire exposed outer periphery of the track member has a substantially circular-arc shape in the section,

an inner periphery of the track member has a substantially circular-arc shape,

an outer periphery of the movable member has a substantially polygon shape in the section.

Applicants submit that the prior art of record, Jacob, Teramachi and Nagai, either alone or combination, fail to teach or fairly suggest the combination of the above-identified claimed features.

In view of the above, the amended independent claims 1, 6 and 8 patentably distinguish over the Examiner's cited references. Moreover, at least by virtue of the dependency, dependent claims 2 and 7 also patentably distinguish over the Examiner's cited references.

Claim 5 is rejected under 35 U.S.C. §103 as being unpatentable over Nagai in view of Teramachi and Jacob, further in view of JP 61-29163.

This rejection is respectfully traversed. Applicants submit that, at least by virtue of its dependency, claim 5 also distinguishes over the cited references.

In view of the aforementioned amendments and accompanying remarks, Applicants submit that the claims, as herein amended, are in condition for allowance. Applicants request such action at an early date.

If the Examiner believes that this application is not now in condition for allowance, the Examiner is requested to contact Applicants' undersigned attorney to arrange for an interview to expedite the disposition of this case.

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,
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